

Message Text

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72

ACTION ACDA-10

INFO OCT-01 EUR-12 IO-10 ISO-00 CIAE-00 H-02 INR-07 L-02

NSAE-00 OIC-02 OMB-01 PA-01 PM-03 PRS-01 SAJ-01

SAM-01 SP-02 SS-15 USIA-06 TRSE-00 DODE-00 NSC-05

BIB-01 NRC-05 EA-06 OES-03 (ISO) W

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P 121441Z MAY 75

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 5825

INFO AEC GERMANTOWN PRIORITY

USEC BRUSSELS PRIORITY

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

AMEMBASSY BONN

C O N F I D E N T I A L IAEA VIENNA 4053

EO 11652: GDS

TAGS: PARM, TECH, IAEA, EEC

SUBJECT: COMING INTO FORCE OF EURATOM-IAEA NPT VERIFICATION
AGREEMENT

1. MISSION HAS HEARD DISQUIETING REPORT THROUGH USUALLY
WELL-INFORMED IAEA SECRETARIAT SOURCES THAT EEC STAFF
IS TAKING POSITION THAT EURATOM AND FIVE MEMBER STATES
SIGNATORY TO SUBJECT AGREEMENT NOW HAVE 18 MONTHS IN
WHICH TO BRING AGREEMENT INTO FORCE, NOTWITHSTANDING
CLEAR PROVISION ART. III.4 OF NPT WHICH CALLS FOR
NEGOTIATION SAFEGUARDS AGREEMENT, IN CASE OF ACCESSION
TO TREATY BY NNWS MORE THAN 180 DAYS AFTER TREATY
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ENTERS INTO FORCE "NO LATER THAN THE DATE OF SUCH

DEPOSIT" WITH AGREEMENT TO "ENTER INTO FORCE NOT LATER THAN 18 MONTHS AFTER THE DATE OF INITIATION OF NEGOTIATIONS".

2. WHILE PRECISE DATE OF INITIATION OF SUBJECT AGREEMENT MAY BE OPEN TO DEBATE, IT WAS SIGNED PUBLICLY BY ALL THE PARTIES IN APRIL 1973. MOREOVER, IN EACH OF THEIR STATEMENTS UPON SIGNATURE OF NPT, STATEUS PARTY TO AGREEMENT HAD STATED THAT CONCLUSION SATISFACTORY AGREEMENT PURSUANT TO ART. 3.1 OF NPT WAS PREREQUISITE TO NPT RATIFICATION, THEREBY REQUIRING INITIATION OF NEGOTIATION WELL IN ADVANCE OF ACCESSION AS WAS, IN FACT, CASE.

3. CURIOUS AND, IN OUR VIEW, COMPLETELY UNSUPPORTABLE POSITION DESCRIBED PARA 1 HAS BEEN ATTRIBUTED TO DIFFICULTY FACING EEC IN GAINING FRENCH AGREEMENT TO AMENDMENT OF COMMUNITY SAFEGUARDS REGULATIONS NECESSARY TO IMPLEMENT SUBJECT AGREEMENT. FRENCH REPORTEDLY ARE INSISTING UPON SIMULTANEOUS IMPLEMENTATION OF REVISED ARRANGEMENTS FOR APPLICATION OF EURATOM AFEGUARDS IN FRANCE, AGREED TO SOME YEARS AGO IN ORDER TO ACHIEVE FRENCH CONSENT TO MANDATE FOR NEGOTIATION SUBJECT AGREEMENT. EIGHTEEN MONTH ARGUMENT APPEARS TO BE PLOY TO AVOID PRESSURE ON OTHERS TO ACCEDE TO CURRENT FRENCH POSITION.

4. TIMING OF COMING INTO FORCE OF SUBJECT AGREEMENT WILL BE CRITICAL ELEMENT IN CONSIDERATION OF IAEA 1976 BUDGET IN JUNE 10 BOARD OGVS. MEETING. IF AGREEMENT IS TO COME INTO FORCE DURING 1975, IAEA WILL NEED TO BEGIN RECRUITING 10 TO 15 ADDITIONAL INSPECTORS IMMEDIATELY, IN ORDER TO HAVE SUFFICIENT STAFF TO CARRY OUT INCREASED RESPONSIBILITIES.

5. ACCORDINGLY, MISSION WOULD APPRECIATE ANY INFO RE SUBJECT. LEAHY

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